

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

JEAN PIERRE TULUMBUTA and  
CLAUDINE KAMANGO,

Plaintiffs,

V.

WILMINGTON FINANCE, INC., a Delaware corporation; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a Delaware corporation; and WILSHIRE CREDIT CORPORATION, a Nevada Corporation,

Defendants.

Case No.: 09 CV 4123

District Judge Gottschall

Magistrate Judge Valdez

**MOTION OF DEFENDANT WILMINGTON FINANCE, INC.  
TO DISMISS COMPLAINT PURSUANT TO RULE 12(b)(6)**

Defendant Wilmington Finance, Inc. (“Wilmington”), by and through its attorneys, respectfully moves this Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for entry of an Order dismissing the Complaint of plaintiffs Jean Pierre Tulumbuta and Claudine Kamango for failing to state a claim upon which relief can be granted. In support thereof, Wilmington has contemporaneously filed a Memorandum of Law in support of its Motion to Dismiss.

Wherefore, defendant Wilmington prays that plaintiffs' Complaint be dismissed with prejudice and with costs.

Respectfully submitted,

September 9, 2009

s/s  
Stephen A. Gorman

Stephen A. Gorman  
325 N. LaSalle St., Ste. 450  
Chicago, Illinois 60610  
Telephone (312)-822-0200  
Attorney No. 53098